

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

ORDER AND JUDGMENT

Before this Court is Plaintiff's Motion for Judgment by Default against Defendant Ahmad Isnaini ("Isnaini"), d/b/a SHOEMALL.BLOGSPOT.COM, d/b/a SHOEMALLKU. After considering the motion, the Court finds that it is well taken. Therefore, it is hereby **ORDERED, ADJUDGED, and DECREED** that the Plaintiff's motion for entry of default judgment is **GRANTED**.

1. Defendant Isnaini, and his respective partners, agents, servants, employees and attorneys, and those persons in active concert with or participate with Isnaini, are permanently enjoined and restrained from:

a. Using on or in connection with the production, manufacture, advertisement, promotion, display (including on the Internet) or otherwise, displaying for sale, offering for sale, or distribution of any product or service or

for any purposes whatsoever, the marks SHOEMALL, SHOEMALLKU or any other mark confusingly similar to Mason's SHOEMALL Marks.

b. Representing by any means whatsoever, directly or indirectly, or doing any other acts or things calculated or likely to cause confusion, mistake or to deceive purchasers into believing that Defendant's services originate with or are the services of Mason or that there is any affiliation or connection between Mason and its services and Defendant and its services, and from otherwise competing unfairly with Mason.

2. Further Defendant Isnaini is directed to:

a. At Defendant's own expense recall all the marketing, promotional and advertising materials and edit any websites that bear or incorporate any mark or design with SHOEMALL or SHOEMALLKU not in conformance with paragraph 1a of this Order, or any mark confusingly similar to Mason's SHOEMALL Marks, which has been distributed, sold or shipped by Defendant.

b. Cease use of the website located at shoemall.blogspot.com and transfer the access rights of that website to Mason.

c. Cease use of the affiliate identification SHOEMALLKU or any other mark that incorporates the mark SHOEMALL, SHOE MALL, ~~or SHOESMALL, or~~ SHOEMALL.COM with Amazon.com.

d. Transfer any domain name incorporating Mason's SHOEMALL Marks to Mason.

e. Deliver to Mason's attorneys or representatives for destruction all labels, signs, prints, packages, molds, plates, dies, wrappers, receptacles, and

advertisements in Defendant's possession or under Defendant's control, bearing the non-conforming SHOEMALL and SHOEMALLKU marks or any simulation, reproduction, copy or colorable imitation of Mason's SHOEMALL service mark, and all films, discs, plates, molds, matrices, and any other means of making the same.

f. File with this Court and to serve upon Mason within thirty (30) days after service upon Defendant of an injunction in this action, a written report by Defendant, under oath, setting forth in detail the manner in which Defendant has complied with the injunction.

3. The Court awards Mason damages in the amount of three times Defendant's profits: \$3,295.02.
4. The Court awards Mason reasonable attorneys' fees in the amount of \$16,908.50.
5. The Court awards Mason its costs of this action in the amount of \$1,160.63.

Signed this 23rd day of July 2008.

Barbara B. Crabb

Judge Barbara B. Crabb
District Court Judge

JUDGMENT ENTERED THIS 23 DAY OF JULY, 2008.

By: L. Jensen, Deputy Clerk
JOEL TURNER, ACTING CLERK OF COURT